

**64-13-37 Department authorized to test offenders for communicable disease.**

(1) As used in this section, "communicable disease" means:

- (a) an illness due to a specific infectious agent or its toxic products, which arises through transmission of that agent or its products from a reservoir to a susceptible host either directly, as from an infected person or animal, or indirectly, through an intermediate plant or animal host, vector, or the inanimate environment; and
- (b) a disease designated by the Department of Health by rule as a communicable disease in accordance with Section 26-6-7.

(2) The department may:

- (a) test an offender for a communicable disease upon admission or within a reasonable time after admission to a correctional facility; and
- (b) periodically retest the offender for a communicable disease during the time the offender is in the custody of the department.

Enacted by Chapter 277, 1993 General Session